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UNCLAS BANGKOK 002227

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E.O. 12958: N/A

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SUBJECT: SUWIT EXTRADITION: SECOND DEMARCHE DELIVERED

REF: A. STATE 58458

[1](#)B. BANGKOK 2168

[1](#)1. (SBU) In a meeting with MFA Director General for Treaties and Legal Affairs, Mr. Krit Kriachitti, and several members of his staff, DCM delivered Reftel A demarche. In response to DCM's request that the RTG provide assurances that, should the death penalty be imposed on Suwit Prasoprat, it not be carried out, Krit explained that the RTG could not go beyond the position it had outlined earlier (Reftel B). Krit shared a copy of a Diplomatic Note from the MFA to the Government of Canada regarding a similar case which noted, "there is no provision in Thai law which allows the Royal Thai Government to give such an assurance."

[1](#)2. (SBU) Krit reiterated the RTG position that it had provided sufficient assurances in accordance with Article 6 of the US-Thailand extradition treaty (Reftel B). He conveyed his hope that the USG would accept this assurance and find it consistent with the terms of the treaty. Krit repeatedly expressed concern about the utility and effectiveness of the treaty if the USG refused to extradite Suwit after it had provided assurances consistent with the treaty language. After stating that the RTG is fully committed to cooperating with the USG to combat all forms of trans-national crime, Krit cautioned that the utility of the extradition treaty might come into question if the USG proved unable to extradite a criminal like Suwit, after the RTG had provided assurances in compliance with the treaty. DCM said we were disappointed that the RTG could not go beyond the assurances it had provided earlier, but concurred that both sides were fully committed to effective law enforcement cooperation across-the-board. The meeting concluded with DCM saying that we would report Director General Krit's comments to Washington.

BOYCE